



**Examiner's Amendment**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

(1) Claim 7, line 2, after "of" and before "polyethylene", delete ",".

(2) Claim 7, line 3, after "acid" and before "and", delete ",".

(3) Claim 13, line 2, after "water" and before "cationic", delete "soluble" and insert "insoluble".

(4) Claim 42, line 2, after "claim", delete "30" and insert "33".

2. Authorization for this examiner's amendment was given in a telephone interview with Samuel Blech on 1/21/04.

**Statement of Reasons for Allowance**

3. The present claims are allowable over the "closest" prior art EP 1088863, Shintani et al. (U.S. 4,623,689), and Tsutsumi et al. (U.S. 5,852,074) for the following reasons:

EP 1088863 discloses water-based ink comprising pigment, resin encapsulated colorant wherein the resin is obtained from cationic monomer, and cationic polymer. However, there is no disclosure or suggestion in EP 1088863 of polybasic acid selected from the group consisting of polyethylene oxide dicarboxylic acid and glycerol dicarboxylic acid as required in present claims 7 and 30 or any disclosure or suggestion of polybasic acid selected from the group consisting of polyethylene oxide dicarboxylic acid, malonic acid, and glycerol dicarboxylic acid as required in present claim 19. Further, there is no disclosure or suggestion in EP 1088863 that the ink comprises dispersed therein water-insoluble particles comprising water-insoluble ionic polymer and pigment wherein the water-insoluble ionic polymer is present in an amount of 0.01-20% as required in present claim 19.

Shintani et al. disclose aqueous ink comprising colored polymer emulsion or solution wherein the polymer is obtained from anionic and/or cationic monomers and pH adjustor that includes a polybasic acid. However, there is no disclosure or suggestion in Shintani et al. of polybasic acid selected from the group consisting of polyethylene oxide dicarboxylic acid and glycerol dicarboxylic acid as required in present claims 7 and 30 or any disclosure or suggestion of polybasic acid selected from the group consisting of polyethylene oxide dicarboxylic acid, malonic acid, and glycerol dicarboxylic acid as required in present claim 19. Further, there is no disclosure or suggestion in Shintani et al. of monovalent acid as required in present claim 7 or of pigment as required in present claim 19.

Tsutsumi et al. disclose water-based ink jet ink comprising vinyl polymer aqueous dispersion in which hydrophobic dye is contained and wherein the polymer is neutralized with polybasic acid. However, there is no disclosure or suggestion in Tsutsumi et al. of polybasic acid selected from the group consisting of polyethylene oxide dicarboxylic acid and glycerol dicarboxylic acid as required in present claims 7 and 30 or any disclosure or suggestion of polybasic acid selected from the group consisting of polyethylene oxide dicarboxylic acid, malonic acid, and glycerol dicarboxylic acid as required in present claim 19. Further, there is no disclosure or suggestion in Tsutsumi et al. of monovalent acid as required in present claim 7 or of pigment as required in present claim 19.

Thus, it is clear that EP 1088863, Shintani et al., and Tsutsumi et al., either alone or in combination, do not disclose or suggest the present invention.

In light of the above, it is clear that the rejections of record are untenable and so, the present claims are passed to issue.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Callie E. Shosho whose telephone number is 571-272-1123. The examiner can normally be reached on Monday-Friday (6:30-4:00) Alternate Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on 571-272-1119. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.



Callie E. Shosho  
Primary Examiner  
Art Unit 1714

CS  
1/20/04